

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE: : CASE NO. 10-93904-BHL-11

EASTERN LIVESTOCK CO., LLC :
Debtor. : (Judge Basil H. Lorch III)

:

**JOINDER OF THE FIRST BANK AND TRUST COMPANY TO THE MOTION TO
COMPEL THE TRUSTEE TO PRODUCE BUDGETS AND FINANCIAL
INFORMATION**

The First Bank and Trust Company ("First Bank"), by counsel, joins the Motion to Compel the Trustee to Produce Budgets and Financial Information filed by various creditors on January 20, 2012 [Doc. 971] ("Motion"). First Bank requests that the Court grant the relief requested in the Motion for the reasons set forth in the Motion. Counsel for First Bank raised the issue regarding the lack of any operating budgets with the Court at the hearing on September 28, 2011. See Exhibit A to Motion. Despite previous requests by other creditors to see the operating budgets, the Trustee had not produced any, and counsel for First Bank offered to submit a proposed Order for the Court to journalize the direction to the Trustee. Id. Such an order, however, was unnecessary at the time as the Trustee's counsel suggested voluntary compliance would be forthcoming. To date, the Trustee has not provided creditors (other than Fifth Third Bank) with copies of the operating budgets, notwithstanding creditors' requests prior to and on September 28, 2011, along with subsequent requests on the record on December 14, 2011, and despite promises from the Trustee's counsel that such budgets would be shared with all creditors.

Counsel for First Bank requests the Court enter an order compelling mandatory timely production of the monthly budgets accessible through the Trustee's website.

Respectfully submitted,

/s/ Daniel J. Donnellon

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Company

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2012, a true and correct copy of the foregoing Joinder of The First Bank and Trust Company to Motion to Compel the Trustee to Produce Budgets and Financial Information was filed electronically. Notice of this filing will be sent to all parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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